



**State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-2982



**LETTER OF DEFICIENCY  
WET 2002- 07**

March 27, 2002

Charles Rose  
1081 Battle Street  
Webster, NH 03303

RE: DES Site Wetlands File #2001-0434,  
Logging, Reale Property, Webster, NH

Dear Mr. Rose

On June 12, 2001, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Webster Tax Map 9 as Lot 42 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following was observed:

- 1 Approximately 150 sq.ft. of fill was observed in jurisdictional wetlands as a result of logging activities on the Property located west of the landing area (in the northern portion).
- 2) Approximately 225 sq.ft. of fill was observed in jurisdictional wetlands as a result of logging activities on the Property located west of the landing (in the southern portion).
- 3) Approximately 1,500 sq.ft. of fill was observed in jurisdictional wetlands as a result of logging activities on the Property located west of the landing in standing water (in the northern portion).
- 4) A minimum of five (5) stream crossings were noted on the Property. A review of DES records showed that only 2 of the crossings had been reflected on the map provided with the forestry notification.
- 5) Approaches to the stream crossings were not stabilized.
- 6) Degradation of the stream channel was evident
- 7) Slash was noted in seasonal stream channels and on banks at areas near crossings.
- 8) Logging was not in accordance with Best Management Practices

- a) Crossings had not been retired properly.
- b) Water bars had not been constructed where skid trails sloped downhill towards stream crossings.
- c) The landing was established within the streamside management zone and, ground disturbance was extensive. The potential for erosion was evident.
- d) The landing was situated within 100 feet of a stream and associated wetlands.
- e) Temporary erosion control measures were not installed to prevent degradation of adjacent wetlands.

In response you are requested to take the following actions:

- 1) Remove fill from jurisdictional wetlands.
- 2) File an amended map (permit #2001-0434) showing the additional wetland crossings that were installed on the Property.
- 3) Stabilize the approaches to all wetland crossings by loaming, seeding and mulching the impacted banks.
- 4) Restore stream channels to mimic upper and lower undisturbed sections of stream channel.
- 5) Remove slash from streams and wetland areas.
- 6) Construct water bars on steep or long sloping roads and trails. Stabilize roadside drainage areas by seeding and mulching.
- 7) Loam, seed and mulch landing area.
- 8) All work should be completed by April 30, 2002.
- 9) Loam, seed and mulch receipts need to be provided to DES. All restoration efforts need to be documented with photographs. Photos need to be taken periodically during restoration. Photos should be mounted on 8 ½" X 11" paper with a brief description of each photo. Photographs and receipts should be provided to DES no later than May 15, 2002.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A.

Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party. DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full

compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Mary Ann Tilton, Compliance Supervisor  
Wetlands Bureau  
Department of Environmental Services  
6 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Earle Chase at (603) 271-2147.

Sincerely,

**COPY**

Mary Ann Tilton  
Senior Enforcement Officer  
Wetlands Bureau

CERTIFIED MAIL # 7099 3400 0002 9774 8135

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen Rule, DES Enforcement Coordinator  
Webster Conservation Commission  
Webster Board of Selectmen  
Michael Reale  
Chris Kane, SPNHF